

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF:

MARILYN MAE GARRETT

Debtor

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CASE NO. 05-41312

**DECISION AND ORDER**

At Fort Wayne, Indiana, on February 17, 2006.

The notice of motion and opportunity to object which Chase Home Finance, LLC (hereinafter “Movant”) served in connection with its Agreed Entry for Relief from Stay and to Abandon Real Estate does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not correctly state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The motion was filed on January 25, 2006, while the notice refers to an agreed entry filed on December 13, 2006.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court